



A = Approved, A1 = Approved First Reading, A2 = Approved Second Reading, D = Deferred, NA = No Action, PH = Authorized Public Hearing, AD = Approval Denied

ACTION AGENDA

Hickory City Council
76 North Center Street

December 21, 2021
7:00 p.m.

- I. Call to Order
- II. Invocation by Rabbi Dennis Jones, Temple Beth Shalom
- III. Pledge of Allegiance
- IV. Special Presentations
- V. Persons Requesting to Be Heard
- VI. Approval of Minutes
- A** A. Regular Meeting of December 7, 2021. **(Exhibit VI.A.)**
- VII. Reaffirmation and Ratification of Second Readings. Votes recorded on first reading will be reaffirmed and ratified on second reading unless Council Members change their votes and so indicate on second reading.
- A2** A. Approval of Amending the Traffic Ordinance Reducing the Speed Limit to 25 MPH on E Avenue SE from 25th Street SE to 17th Street SE/C Avenue SE, 17th Street SE from E Avenue SE/C Avenue SE to B Avenue SE, and C Avenue SE from 16th Street SE to E Avenue SE/17th Street SE. **(First Reading Vote: Unanimous)**
- VIII. Consent Agenda: All items below will be enacted by vote of City Council. There will be no separate discussion of these items unless a Council Member so requests. In which event, the item will be removed from the Consent Agenda and considered under Item IX.
- A** A. Approval of the Purchase of Two Isuzu Cab/Chassis from Carolina Industrial Equipment, Inc. in the Amount of \$335,244. **(Exhibit VIII.A.)**

Staff requests Council's approval of the purchase of two Isuzu (Non-CDL) Cab/Chassis with an Xtreme Vac mounted automated leaf collection unit per the N.C. Sheriffs Association Contract Bid #22-06-0426 in the amount of \$167,622 each for a total expense of \$335,244 from Carolina Industrial Equipment, Inc. The City uses automated leaf trucks for efficient collection of loose leaves within the Recycling Division's yard waste service. These units allow for loose leaves to be collected by a single operator and collects approximately five loads per day on average. These trucks will replace three leaf trucks and six pull behind leaf machines. The Solid Waste Recycling Division capital equipment improvement plan includes the replacement of automated leaf trucks in FY 22-23. These trucks are used to collect loose leaves along the curb line throughout the City. This type of truck allows the division to perform this essential function in an efficient and effective manner. Staff recommends Council's approval of the purchase of two Isuzu (Non-CDL) Cab/Chassis with a Xtreme Vac mounted automated leaf collection unit per the N.C. Sheriffs Association Contract Bid #22-06-0426 in the amount of \$167,622 for a total expense of \$335,244 from Carolina Industrial Equipment, Inc.

- A B. Approval of a Professional Services Agreement with McGill Associates, P.A. for the Henry Fork Sewer Collection Basing Environmental Recommendations Project in the Amount of \$218,500. **(Exhibit VIII.B.)**

Staff requests Council's approval of Professional Services Agreement with McGill Associates, PA, for the Henry Fork Sewer Collection Basin Environmental Recommendations project in the amount of \$218,500. The Henry Fork Basin has increasingly been impacted by the removal of the dam at Shuford Mills, resulting in more frequent infrastructure failures. An evaluation of the Henry Fork Basin is recommended to identify areas of concern that require attention in order to avoid failures. This is a continuation of the Public Utilities Department's emphasis in maintaining and/or replacing infrastructure to maximize the useful life and efficiency of the Collection and Distribution Systems for the enjoyment and benefit of customers. Statements of Qualifications were requested and received on September 10, 2021, from KCI Associates, PA and McGill Associates, PA. Upon review and evaluation, staff selected and received a proposal from McGill Associates, PA for this evaluation. Staff requests Council's approval of a Professional Services Agreement with McGill Associates, PA, for the Henry Fork Sewer Collection Basin Environmental Recommendations project in the amount of \$218,500.

- PH/A C. Call for a Public Hearing for Consideration of a Voluntary Non-Contiguous Annexation of 55.49 Acres of Property Located on Spencer Road, between 30th Street Court NE and 31st Street Place NE, PIN 3723-15-63-5314. **(Authorize Public Hearing for January 4, 2022, at 7:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building.) (Exhibit VIII.C.)**

- PH D. Call for a Public Hearing for Consideration of Proposed Amendments to Chapter 21, Sections 21-8 and 21-9 of the Hickory City Code of Ordinance. **(Authorize Public Hearing for January 4, 2022, at 7:00 p.m. in Council Chambers of the Julian G. Whitener Municipal Building.) (Exhibit VIII.D.)**

- A1 E. Budget Revision Number 10. **(Exhibit VIII.E.)**

1. *To appropriate \$71,277 in previous year budgeted funds from the Urgent Repair Program fund.*
2. *To adjust \$414,318 in CDBG Funds to reflect the correct amounts that were rolled over from last fiscal year.*
3. *To appropriate \$67,185 in previous year budgeted Library funds.*
4. *To establish the NC Governor's Crime Commission Grant Project Ordinance (#G51106) and appropriate \$24,215 towards police equipment.*
5. *To appropriate \$435 in Christmas Project donations towards the Youth Council.*
6. *To appropriate \$500 in donations from Friends of the Library towards supplies.*
7. *To appropriate \$2,000 in donations from Walmart towards the Community Navigator Program.*
8. *To appropriate \$18,029 in NC Unauthorized Substance Tax Funds towards seminar registration fees, meals and lodging, and fuel for police officer polygraph training for certification.*
9. *To appropriate \$39,498 in donations towards Parks, Recreation, and Sports Tourism programming.*
10. *To appropriate \$425 from Winding Creek Homeowner's Association to cover the cost of replacing a streetlight.*
11. *To appropriate \$335,244 from Solid Waste Fund Balance towards the purchase of two (2) automated leaf trucks.*

IX. Items Removed from Consent Agenda

X. Informational Item

XI. New Business:

A. Public Hearings

D

1. Consideration of Rezoning Petition Number 21-08 for Property Located at 3320, 3326, 3330, and 3342 9th Avenue Drive NW, from R-1 Residential to Neighborhood Center Commercial (NC) – Presentation by Planning Director Brian Frazier. **(Exhibit XI.A.1.)**

Winkler's Grove Baptist Church has submitted a petition requesting the rezoning of its property located at 3320, 3326, 3330 and 3342 9th Avenue Drive NW, from R-1 Residential to Neighborhood Center Commercial (NC). The properties under consideration for rezoning are occupied by a church, auxiliary buildings, and a parking lot. The rezoning request is intended to establish zoning that would provide greater flexibility in the future development of the church campus. The subject properties are zoned Low Density Residential (R-1) and are +/- 13.57 acres in total size. The current zoning is primarily intended for lower intensity residential uses, at a maximum density of two dwelling units per acre. While, residential is the primary purpose of the district, other uses including churches are also permissible. Should the properties be rezoned to Neighborhood Center Commercial (NC), residential uses would still be permissible, although at higher intensities and forms. The major difference would be the potential to establish retail and office uses in addition to residential. Residential intensities within NC districts are permissible at a rate of thirty dwelling units per acre, and non-residential development is permissible at a floor area ratio (FAR) of 2:1. The Hickory Regional Planning Commission conducted a public hearing on December 1, 2021, to consider the petition. During the public hearing, the property owner spoke in favor of the petition, while no one spoke in opposition. Upon closing the public hearing, the Hickory Regional Planning Commission voted 6 to 3 to affirm the petition's inconsistency with the Hickory by Choice 2030 Comprehensive Plan, and recommended City Council's disapproval of the petition.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on December 10, 2021, and December 17, 2021.

B. Departmental Reports

NA

1. Appointments to Boards and Commissions

CITIZENS ADVISORY COMMITTEE

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Small Cities Project Area

VACANT

COMMUNITY APPEARANCE COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
At-Large (Outside City but within HRP) (Council Appoints)

VACANT

COMMUNITY RELATIONS COUNCIL

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)

Other Minority (Council Appoints)

VACANT

Other Minority (Council Appoints)

VACANT

Other Minority (Council Appoints)

VACANT

Differently Abled and is African American or Other Minority (Council Appoints)

VACANT

Differently Abled (Council Appoints)

Beth Whicker

(Not Eligible for Reappointment)

HISTORIC PRESERVATION COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)

At-Large (2)(Council Appoints)

Mary Moorer

(Eligible for Reappointment/Does Not Wish to Serve Again)

LIBRARY ADVISORY BOARD

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)

Ward 1 (Wood Appoints)

VACANT

(Dianne Straley no longer Eligible for Ward 1 due to Redistricting)

Ward 3 (Seaver Appoints)

VACANT

(Beth Schauble Resigned 11-10-2021)

PUBLIC ART COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)

Ward 4 (D. Williams Appoints)

VACANT

At-Large (Mayor Appoints)

Beth Bowman

(Not Eligible for Reappointment)

At-Large (Mayor Appoints) (Harold Humphrey Resigned 11-4-2021)

VACANT

YOUTH COUNCIL

(Terms Expiring 6-30; 1-Year Terms) (Appointed by City Council)

Youth Council Applicant Review Committee Recommends the Following
Appointments:

Fred T. Foard

VACANT

Homeschool

VACANT

C. Presentation of Petitions and Requests

XII. Matters Not on Agenda (requires majority vote of Council to consider)

XIII. General Comments by Members of Council, City Manager or City Attorney of a Non-Business
Nature

XIV. Adjournment

***Hickory City Code Section 2-56. Public Address to Council:**

“When conducting public hearings, considering ordinances, and otherwise considering matters wherein the public has a right to be heard, when it appears that there are persons present desiring to be heard, the Mayor shall require those opposing and favoring the proposed action to identify themselves. Each side of the matter shall be given equal time. Those opposing the proposed action shall be allowed 15 minutes for presentation, followed by 15 minutes for those favoring the action, with the opponents then to have five minutes for rebuttal and the proponents to then have five minutes for surrebuttal. Those persons on either side shall have the right to divide their allotted time among them as they may choose. The Council, by majority vote, may extend the time for each side equally. On matters in which the person desiring to address the Council does not have a legal right to speak, the Council shall determine whether it will hear the person. The refusal to hear a person desiring to speak may be based upon grounds that the subject matter is confidential, that its public discussion would be illegal, that it is a matter not within the jurisdiction of the Council or for any other cause deemed sufficient by the Council. Any person allowed to speak who shall depart from the subject under discussion or who shall make personal, impertinent, or slanderous remarks, or who shall become boisterous while addressing the Council shall be declared out of order by the Mayor, or by vote of the Council, and barred from speaking further before the Council unless permission to continue shall be granted by a majority vote of the Council, under such restrictions as the Council may provide.”

**The City of Hickory holds all public meetings in accessible rooms.
Special requests for accommodation should be submitted by individuals
with disabilities at least 48 hours before the scheduled meeting.
Phone Services (hearing impaired) – Call 711 or 1-800-735-2962**